

prior to the April 1 deadline specified in the Procedural Schedule in order to facilitate final decisions about the scheduling of depositions. It was in response to this proposal that AT&T first learned of SWBT's intentions not to make any witnesses available for cross examination at the April 14 hearing. The next day, AT&T formalized its request to take a limited number of depositions of those individuals who will not be made available at the time of the April 14-16 hearing. A copy of the correspondence, to which SWBT has not yet responded, is attached.

The individuals whose depositions are sought represent a limited number of the twenty-six or more individuals whose affidavits presumably will be submitted to the FCC as early as April 11, 1997, in support of SWBT's Section 271 application. The proposed location for the deposition of each witness is the place where each such individual is employed. AT&T has limited the number of proposed depositions in order to complete the depositions before the April 1 deadline for taking depositions. AT&T would support a week's extension of the April 1 deadline contained in the Procedural Schedule if necessary to accommodate the schedule of any witness whose deposition is requested. AT&T confirmed this willingness to SWBT in the attached letter.

Depositions are specifically contemplated by the Procedural Schedule and specifically authorized by 17 O.S. § 12. Without depositions, AT&T and other interested parties will have no ability to cross examine these SWBT witnesses (or, apparently, *any* SWBT witness) in order to conduct the factual development necessary for this Commission to make its recommendation concerning SWBT's entitlement to Section 271 interLATA relief.

AT&T further requests that this Motion be specifically set on March ____, 1997.

WHEREFORE, AT&T requests this Commission to grant the relief requested herein.

Respectfully submitted,

Jack P. Fite, OBA #2949
Jay M. Galt, OBA #3220
Marjorie McCullough, OBA #15377
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Fax (512) 322-9020

ATTORNEYS FOR AT&T COMMUNICATIONS
OF THE SOUTHWEST, INC.

Dated: March ____, 1997

CERTIFICATE OF MAILING

This is to certify that on this ____ day of March, 1997, a true and correct copy of the above and foregoing AT&T Communications of the Southwest, Inc. Requests for Information was mailed, postage prepaid to:

Robert E. Goldfield
Administrative Law Judge
Oklahoma Corporation Commission
Jim Thorpe Office Bldg.
First Floor
Oklahoma City, OK 73105

John W. Gray
Senior Assistant General Counsel
Oklahoma Corporation Commission
P. O. Box 52000-2000
Oklahoma City, OK 73152-2000

Ernest G. Johnson, Director
Public Utility Division
Oklahoma Corporation Commission
P. O. Box 52000-2000
Oklahoma City, OK 73152-2000

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Deputy General Counsel
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Roger Toppins
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Rick Chamberlain
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112 State Capitol Building
2300 North Lincoln Boulevard
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Ronald E. Stakem
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101 Park Avenue, Suite 1000
Oklahoma City, OK 73102

Nancy M. Thompson, Esq.
P.O. Box 18764
Oklahoma City, OK 73154

Martha Jenkins
Sprint Communications Company, L.P.
8140 Ward Parkway SE
Kansas City, MO 64114

Ed Cadieux
Brooks Fiber Properties
425 Woodsmill Road South
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Fred Gist
100 North Broadway, Suite 2900
Oklahoma City, OK 73102

Southwestern Bell Telephone

March 26, 1997

Roger K. Toppins
General Attorney

Kathleen M. LaValle
Cohan, Simpson, Cowlishaw & Wulfe, L.L.P.
2700 One Dallas Centre
350 N. St. Paul Street
Dallas, TX 75201-4283

Re: Cause No. PUD 970000064

Dear Ms. LaValle:

Thank you for your telephone call of March 24 and your fax of March 25. I apologize for not responding yesterday, but I was involved in making our filing in this docket.

After our conversation Monday, I have visited with my client and have also reviewed the procedural schedule in this case regarding the taking of depositions.

I do not recall that you attended the February 19 hearing where we set the procedural schedule so you may not be aware of the rather extensive discussion we had at that time with Judge Goldfield regarding discovery in this docket and the taking of depositions in particular. In our view, there was a clear understanding that there were at least three prerequisites before any deposition could be taken. First, parties were to seek needed information through data requests. We have received no data requests from AT&T. Second, parties were allowed to request that Southwestern Bell produce subject matter experts informally on a mutually agreeable schedule. We have received no such request from AT&T. Third, since depositions are practically never taken in Commission dockets and since the schedule in this docket is aggressive and provides for other discovery mechanisms (data requests and informal "technical" meetings with the subject matter experts), the ALJ ordered that no depositions could be taken without leave of the Commission. Leave of the Commission has not been sought by AT&T to take any deposition so far as I am aware.

One Bell Central
Harvey, Room 310
City, OK 73102

phone 405 231-6751
ex 405 235-7773

ATTACHMENT C

The Commission's rule regarding the taking of depositions is consistent with the ALJ's ruling. It requires an order of the Commission following the filing of a motion of a party. No motion to take a deposition has been filed. Furthermore, the Commission's rule requires that if a motion for a deposition is sustained and an order is issued by the Commission, the party seeking the deposition must provide five (5) days notice.

The identity of the Southwestern Bell individuals who prepared affidavits for filing with the FCC was disclosed to AT&T more than a month ago. It was made clear to AT&T as far back as February 19 when the parties met with the ALJ to set the procedural schedule, that Southwestern Bell intended to file written comments, as the procedural schedule permits, and not prefiled testimony.

In our view, if the proper procedures had been filed, any questions you have for the individuals listed in your March 25 letter would first have been posed through data requests or through the process of meeting with those individuals as provided in the procedural schedule. If those procedures had been followed and AT&T still wanted to pursue the taking of depositions, AT&T had more than adequate time to file a motion for leave to take depositions, giving all the lawfully required time for notice of the motion (5 days) and notice of the depositions (5 days).

In our view, the procedural schedule was not established with the idea that parties could wait until the eve of the close of discovery, when appropriate and lawfully required notice cannot be provided, to suddenly start taking numerous, time-consuming depositions. We cannot agree to extend the April 1 discovery deadline.

Finally, with respect to your comment regarding the burden of proof in this case and how the hearing itself will be conducted, you were not at the February 19 hearing where this was discussed, but it was very clear that parties were free to file either prefiled testimony or written comments, at each party's sole discretion. It was also clear that a party that chose to file prefiled testimony subjected its witnesses to possible cross-examination at the hearing, but that parties that chose to file written comments instead of prefiled testimony would have no witnesses to be cross-examined. The affidavits attached to Southwestern Bell's draft 271 filing were prepared by the individuals involved for the purpose of the FCC 271 proceeding, not as prefiled testimony in this case. In fact, since those individuals did not file prefiled testimony in this docket (which should be no surprise to AT&T since

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it was made very clear at the February 19 hearing that Southwestern Bell intended to file written comments), it is extremely unlikely that the ALJ would permit them to take the stand at the hearing for any purpose.

I believe that if you consult with Mr. Fite, who attended the February 19 hearing, he will confirm the contents of this letter and can provide you with copies of the relevant Commission rules.

Yours very truly,



ROGER K. TOPPINS

RKT:hls

cc: Mr. Fite
Mr. Gray

P.S. This letter was prepared before receipt of your fax today, but I believe it responds to that fax as well.

FILED
APR - 1 1997
COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA

BEFORE THE CORPORATION COMMISSION
STATE OF OKLAHOMA

APPLICATION OF ERNEST G. JOHNSON,
DIRECTOR OF THE PUBLIC UTILITY
DIVISION, OKLAHOMA CORPORATION
COMMISSION, TO EXPLORE THE
REQUIREMENTS OF SECTION 271 OF
THE TELECOMMUNICATIONS ACT
OF 1996.

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CAUSE CD NO. PUD 970000064

WITNESS LIST

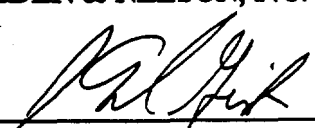
In accordance with the Procedural Order No. 409904 issued in the captioned cause, Brooks Fiber Communications of Oklahoma, Inc. and Brooks Fiber Communications of Tulsa, Inc. (hereinafter collectively referred to as "Brooks"), Intervenors in said cause, submit the following list of potential witnesses for the said cause:

Edward J. Cadieux
Director, Regulatory Affairs- Central Region
Brooks Fiber Properties, Inc.
425 Woods Mill Road South, Suite 300
Town & Country, MO 63017

For you information, in the event Mr. Cadieux is called to testify in this cause on behalf of said Intervenors, Mr. Cadieux will withdraw immediately as co-counsel for said Intervenors.

In addition, Brooks reserves the right to call any witness listed by any other party to this case.

Respectfully submitted,
HALL, ESTILL, HARDWICK, GABLE,
GOLDEN & NELSON, P.C.



J. Fred Gist, OBA # 3390
100 North Broadway, Suite 2900
Oklahoma City, OK 73102
(405) 553-2828

ATTORNEYS FOR INTERVENOR,
BROOKS FIBER COMMUNICATIONS OF
OKLAHOMA, INC. AND BROOKS FIBER
COMMUNICATIONS OF TULSA, INC.

CERTIFICATE OF MAILING

I, the undersigned, do hereby certify that on the 1st day of April, 1997, a true and correct copy of the above and foregoing pleading was forwarded by U.S. Mail, with proper postage thereon fully prepaid, to the following counsel of record:

John Gray
Oklahoma Corporation Commission
Jim Thorpe Building
Oklahoma City, OK 73105

Jack P. Fite
6520 N. Western, Suite 300
Oklahoma City, OK 73116

Nancy Thompson
P.O. Box 18764
Oklahoma City, OK 73154-8764

Roger Toppins
800 N. Harvey, Room 310
Oklahoma City, OK 73102

Ronald Stakem
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Oklahoma City, OK 73102

Mickey S. Moon
Assistant Attorney General
2300 North Lincoln Boulevard
Room 112, State Capitol
Oklahoma City, OK 73105-4894

Robert E. Goldfield
Administrative Law Judge
Oklahoma Corporation Commission
Jim Thorpe Bldg.
101 N. Lincoln
Oklahoma City, OK 73105

Martha Jenkins
Sprint Communications Company, L.p.
8140 Ward Parkway, S.E.
Kansas City, MO 64114



J. Fred Gist

JFG/hs
jfg-1268.wit

FILED

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF ERNEST G. JOHNSON,)
DIRECTOR OF THE PUBLIC UTILITY)
DIVISION, OKLAHOMA CORPORATION)
COMMISSION TO EXPLORE THE)
REQUIREMENTS OF SECTION 271 OF)
TELECOMMUNICATIONS ACT OF 1996.)

COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA

CAUSE NO. PUD 970000064

WITNESS LIST

Pursuant to the procedural schedule adopted in this docket, Southwestern Bell Telephone Company (Southwestern Bell) elected to file briefs and comments and not prefiled testimony. Because of this, Southwestern Bell does not intend to call any witnesses for the purposes of submitting direct or rebuttal testimony.

If and to the extent the Administrative Law Judge permits live surrebuttal testimony at the hearing, Southwestern Bell reserves its right to call surrebuttal witnesses.

Respectfully submitted,



ROGER K. TOPPINS, OBA #15410
AMY R. WAGNER, OBA #14556
800 North Harvey, Room 310
Oklahoma City, OK 73102
Telephone: (405) 291-6751
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MICHAEL K. KELLOGG
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1301 K. Street, N.W.
Suite 1000 West
Washington D.C. 20005
(202) 326-7900

ATTORNEYS FOR SOUTHWESTERN BELL
TELEPHONE COMPANY

CERTIFICATE OF MAILING

On this 1st day of April, 1997, a true and correct copy of the foregoing was mailed, postage prepaid, to:

John Gray
Oklahoma Corporation Commission
Jim Thorpe Building
Oklahoma City, OK 73105

Martha Jenkins
8140 Ward Parkway, 5E
Kansas City, MO 64114

Mickey Moon
Office of the Attorney General
112 State Capitol Building
Oklahoma City, OK 73105

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HALL ESTILL HARDWICK GABLE
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Edward J. Cadieux, Esq.
Brooks Fiber Properties, Inc.
425 Woods Mill Road South, Suite 300
Town and Country, MO 63017

Heidi L. Scott

FILED

APR - 1 1997

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA

APPLICATION OF ERNEST G.
JOHNSON, DIRECTOR OF THE
PUBLIC UTILITY DIVISION,
OKLAHOMA CORPORATION
COMMISSION TO EXPLORE THE
REQUIREMENTS OF SECTION 271
OF THE TELECOMMUNICATIONS
ACT OF 1996.

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Cause No. PUD 970000064

**AT&T'S REQUESTS FOR INFORMATION TO
BROOKS FIBER COMMUNICATIONS OF OKLAHOMA, INC.,
AND BROOKS FIBER COMMUNICATIONS OF TULSA, INC.**

TO: BROOKS FIBER COMMUNICATIONS OF OKLAHOMA, INC. AND
BROOKS FIBER COMMUNICATIONS OF TULSA, INC., by and through their
attorney of record J. Frd Gist, Hall, Estill, Hardwick, Gable, Golden & Nelson, P.C.,
160 North Broadway, Suite 2900, Oklahoma City, OK 73102.

Attached hereto as Exhibit A are AT&T Communications of the Southwest, Inc.'s
Requests for Information to BROOKS FIBER COMMUNICATIONS OF OKLAHOMA, INC.
AND BROOKS FIBER COMMUNICATIONS OF TULSA, INC. (collectively "Brooks").
Responses to these requests are to be made within five (5) business days. Service should be
made to the following address:

Wauneta Browne
Regulatory Manager
AT&T Communications of the Southwest, Inc.
1100 Walnut
Room 624
Kansas City, MO 64105
(816) 654-2810 PHONE
(816) 654-3306 FAX

EACH OF THE REQUESTS HEREIN SHALL BE DEEMED TO BE CONTINUING IN NATURE AND BROOKS IS REQUESTED TO SUPPLEMENT ITS RESPONSES AS NECESSARY.

INSTRUCTIONS

1. Unless otherwise specifically stated, these requests apply to Oklahoma operations only.
2. Reproduce the data request being responded to before the response.
3. Responses to any and all AT&T data requests that are contained herein or that may be filed later should be supplied to AT&T as soon as they become available to Brooks. That is, Brooks should not hold answers to any requests for which it does have responsive data, documents, etc. until responses to any or all other requests are compiled.
4. The response to each data request should be made under oath by a person competent to testify concerning the response and all documents and exhibits produced as part of the response. With respect to each request, please state (1) the name(s) and title(s) of the person or persons responsible for preparing the responses; and (2) the administrative unit which maintains the records being produced or maintains the data from which the answer was prepared; and (3) the date on which each question was answered.
5. Where information requested is not available in the precise form described in the question or is not available for all years (or other periods of classification) indicated in a series of years (or other periods of classifications), please provide all information with respect to the subject matter of the question that can be identified in the workpapers and files of Brooks or any affiliated entity or all such information that is otherwise available.
6. These data requests shall be deemed to be continuing. Brooks is requested to change, supplement and correct its answers to conform to all information as it becomes available to Brooks, including the substitution of actual data for estimated data. Responses to requests for information covering a period not entirely in the past (or for which complete actual data are not yet available) should include all actual data available at that time.
7. Wherever responses include estimated information, include an explanation (or reference to a previous explanation) of the methods and calculations used to derive the estimates.
8. AT&T reserves the right to submit additional information requests to Brooks or any affiliated entity.
9. In the event that any requested information is considered by Brooks to be proprietary, confidential, highly sensitive confidential or will be objected to, please inform AT&T of this designation within seven business days of the date that the RFIs are received to discuss or negotiate a compromise.

DEFINITIONS

The term "you," "your," "Brooks," "company," "your company" or "the company" as used herein refer to BROOKS FIBER COMMUNICATIONS OF OKLAHOMA, INC. or BROOKS FIBER COMMUNICATIONS OF TULSA, INC

The term "affiliate" or "affiliated interest" includes:

- (A) Any person or corporation owning or holding, directly or indirectly, five percent or more of the voting securities of a public utility;
- (B) Any person or corporation in any chain of successive ownership of five percent or more of the voting securities of a public utility;
- (C) Any corporation five percent or more of the voting securities of which is owned or controlled, directly or indirectly, by a public utility;
- (D) Any corporation five percent or more of the voting securities of which is owned or controlled, directly or indirectly, by any person or corporation that owns or controls, directly or indirectly, five percent or more of the voting securities of any public utility or by any person or corporation in any chain of successive ownership of five percent of such securities;
- (E) Any person who is an officer or director of a public utility or of any corporation in any chain of successive ownership of five percent or more of voting securities of a public utility;
- (F) Any person or corporation that the commission, after notice and hearing, determines actually exercises any substantial influence or control over the policies and actions of a public utility, or over which a public utility exercises that control, or that is under common control with a public utility, whether that power is established through ownership or voting of securities or by any other direct or indirect means; or
- (G) Any person or corporation that the commission after notice and hearing determines is actually exercising that substantial influence over the policies and action of the public utility in conjunction with one or more persons or corporations with which they are related by ownership or blood relationship, or by action in concert, that together they are affiliated with that public utility within the meaning of this section, even though no one of them alone is so affiliated.

The term "writing" shall refer to any written material, whether typed, handwritten, printed or otherwise, or any photograph, photostat, microfilm, or any other reproduction thereof, and including, without limitation, each note, memorandum, letter, telegram, circular, release, article, report, analysis, chart, account, book, draft, summary, diary, transcript, agreement, contract, deposit slip, bank statement, receipt, stock certificate, bond coupon, purchase and/or sale confirmation, monthly securities and/or commodities statements.

The term "person" shall refer to any natural person, firm, association, partnership, corporation or other form of legal business entity.

The term "communicate" and "communication" shall mean every manner or means of disclosure or transfer or exchange of information whether orally, by document or otherwise, and whether face to face, in a meeting, by telephone or other electronic media, mail, personal delivery or otherwise.

The term "document" or any variation thereof is used in its broadest sense and shall mean any writing, drawing, graph, chart, photograph, tape, phono-record, magnetic disc or other data compilation from which information can be obtained, translated, if necessary through devices into reasonable usable form, and included, but is not limited to, correspondence, telegrams, cable telex messages, memoranda, notes, drafts, notations, workpapers, transcripts, minutes, reports, recording of telephone or other conversation, or of interviews, conference or other meetings, affidavits, statements, journals, statistical records, desk calendars, appointment books, diaries, lists, tabulations, summaries, computer printouts, computer diskettes, or other items of similar nature, including all originals, drafts and non-identical copies.

The terms "identify" or "identification", when used with reference to an individual person, means his/her full name, address and his present or last known position and business affiliation.

The terms "identify" or "identification", when used in reference to corporation, firm or other entity, means its full name, form of organization, and its present or last known address.

The terms "identify" or "identification", when used in reference to a writing, means a description of that writing in a manner sufficient for a subpoena duces tecum or for production pursuant to O.S. § 3230 of the Oklahoma Discovery Code. Also give its present location or custodian. If any such writing was, but no longer is, in your possession or control, state what disposition was made of its, the date thereof, the person responsible for making the decision as to such disposition, and the person responsible for carrying out such disposition.

The terms "identify" or "identification", when used in reference to a meeting or conference, means to state the date of the meeting or conference, the place of the meeting or conference, the full name and the present or last known position, business affiliation and address of each person attending the meeting or conference.

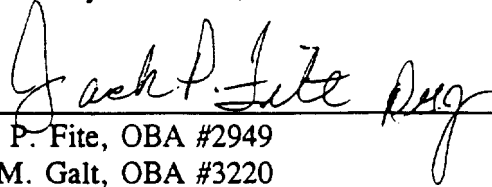
The terms "identify" or "identification", when used in reference to a telephonic conversation, means to state the full name, business affiliation and business address at the time, present or last known position and business affiliation and address of each party to the telephonic conversation, the location of each such party at the time the telephonic conversation took place, which of the parties initiated the telephonic call, and when such telephonic conversation took place.

The terms "identify" or "identification", when used in reference to an oral conversation other than telephonic conversation, means to state when such conversation took place, where such conversation took place, and the full name and present or last known position and business affiliation and address of each party to such conversation.

EXHIBIT A

- 1.1 Please describe Brooks' experiences to date with Interim Number Portability (INP) in Oklahoma with Southwestern Bell Telephone Company (SWBT).
- 1.2 Please describe the types of INP methods that Brooks is employing such as Remote Call Forwarding (RCF) or Direct Inward Dialing (DID).
- 1.3 Please describe any calling feature impacts that Brooks' customers have experienced as a result of employing INP with SWBT. Are these impacts in any way jeopardizing Brooks' ability to retain these new customers.
- 1.4 Please provide the quantity of numbers Brooks has ported to date with SWBT.
- 1.5 Please provide copies of all responses to RFI's served by you or other parties in connection with Cause No. PUD 970000064.

Respectfully submitted,



Jack P. Fite, OBA #2949

Jay M. Galt, OBA #3220

Marjorie McCullough, OBA #15377

WHITE, COFFEY, GALT & FITE, P.C.

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Austin, Texas 78701-2444

Kathleen M. LaValle

State Bar No. 11998600

COHAN, SIMPSON, COWLISHAW

& WULFF, L.L.P.

2700 One Dallas Centre

350 North St. Paul Street

Dallas, Texas 75201-4283

Telephone: (214) 754-0100

Facsimile: (214) 969-0430

Katherine K. Mudge

SMITH, MAJCHER & MUDGE, L.L.C.

816 Congress Avenue

Suite 1270

Austin, Texas 78701

Phone (512) 322-9044

Fax (512) 322-9020

**ATTORNEYS FOR AT&T COMMUNICATIONS
OF THE SOUTHWEST, INC.**

Dated: April 1, 1997

CERTIFICATE OF MAILING

This is to certify that on this 1st day of April, 1997, a true and correct copy of the above and foregoing AT&T Communications of the Southwest, Inc. Requests for Information was mailed, postage prepaid to:

Robert E. Goldfield
Administrative Law Judge
Oklahoma Corporation Commission
Jim Thorpe Office Bldg.
First Floor
Oklahoma City, OK 73105

John W. Gray
Senior Assistant General Counsel
Oklahoma Corporation Commission
P. O. Box 52000-2000
Oklahoma City, OK 73152-2000

Ernest G. Johnson, Director
Public Utility Division
Oklahoma Corporation Commission
P. O. Box 52000-2000
Oklahoma City, OK 73152-2000

Maribeth D. Snapp
Deputy General Counsel
Oklahoma Corporation Commission
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Oklahoma City, OK 73102

Rick Chamberlain
Mickey Moon
Assistant Attorneys General
Office of the Attorney General
112 State Capitol Building
2300 North Lincoln Boulevard
Oklahoma City, OK 73105-4894

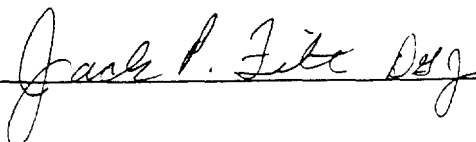
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Clark, Stakem, Wood & Pherigo, P.C.
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Oklahoma City, OK 73102

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Oklahoma City, OK 73154

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Sprint Communications Company, L.P.
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Kansas City, MO 64114

Ed Cadieux
Brooks Fiber Properties
425 Woodsmill Road South
Suite 300
Town & Country, MO 63017

Fred Gist
100 North Broadway, Suite 2900
Oklahoma City, OK 73102





FILED

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APR 1 1997

APPLICATION OF ERNEST G.
JOHNSON, DIRECTOR OF THE
PUBLIC UTILITY DIVISION,
OKLAHOMA CORPORATION
COMMISSION TO EXPLORE THE
REQUIREMENTS OF SECTION 271
OF THE TELECOMMUNICATIONS
ACT OF 1996.

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COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA

Cause No. PUD 970000064

**AT&T'S SECOND REQUESTS FOR INFORMATION TO
SOUTHWESTERN BELL TELEPHONE**

TO: SOUTHWESTERN BELL TELEPHONE COMPANY by and through its attorney of
record Roger K. Toppins, Southwestern Bell Telephone Co., 800 Harvey, Room 310,
Oklahoma City, Oklahoma 73102.

Attached hereto as Exhibit A are AT&T Communications of the Southwest, Inc.'s
Second Requests for Information to Southwestern Bell Telephone Company (SWBT). Responses
to these requests are to be made within five (5) business days from the notification of the
Commission Staff that is referenced in the General Provision section of the Procedural Schedule,
ordered February 28, 1997. Service should be made to the following address:

Wauneta Browne
Regulatory Manager
AT&T Communications of the Southwest, Inc.
1100 Walnut
Room 624
Kansas City, MO 64105
(816) 654-2810 PHONE
(816) 654-3306 FAX

EACH OF THE REQUESTS HEREIN SHALL BE DEEMED TO BE CONTINUING IN NATURE AND SWBT IS REQUESTED TO SUPPLEMENT ITS RESPONSES AS NECESSARY.

INSTRUCTIONS

1. Unless otherwise specifically stated, these requests apply to SWBT's Oklahoma operations only.
2. Reproduce the data request being responded to before the response.
3. Responses to any and all AT&T data requests that are contained herein or that may be filed later should be supplied to AT&T as soon as they become available to SWBT. That is, SWBT should not hold answers to any requests for which it does have responsive data, documents, etc. until responses to any or all other requests are compiled.
4. The response to each data request should be made under oath by a person competent to testify concerning the response and all documents and exhibits produced as part of the response. With respect to each request, please state (1) the name(s) and title(s) of the person or persons responsible for preparing the responses; and (2) the administrative unit which maintains the records being produced or maintains the data from which the answer was prepared; and (3) the date on which each question was answered.
5. Where information requested is not available in the precise form described in the question or is not available for all years (or other periods of classification) indicated in a series of years (or other periods of classifications), please provide all information with respect to the subject matter of the question that can be identified in the workpapers and files of SWBT or any affiliated entity or all such information that is otherwise available.
6. These data requests shall be deemed to be continuing. SWBT is requested to change, supplement and correct its answers to conform to all information as it becomes available to SWBT, including the substitution of actual data for estimated data. Responses to requests for information covering a period not entirely in the past (or for which complete actual data are not yet available) should include all actual data available at that time.
7. Wherever responses include estimated information, include an explanation (or reference to a previous explanation) of the methods and calculations used to derive the estimates.
8. AT&T reserves the right to submit additional information requests to SWBT or any affiliated entity.
9. In the event that any requested information is considered by SWBT to be proprietary, confidential, highly sensitive confidential or will be objected to, please inform AT&T of this designation within seven business days of the date that the RFIs are received to discuss or negotiate a compromise.

DEFINITIONS

The term "you," "your," "SWBT," "company," "your company" or "the company" as used herein refer to Southwestern Bell Telephone Company.

The term "SBLD" includes Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance or any other SBC Communications Inc. Section 272 affiliate.

The term "affiliate" or "affiliated interest" includes:

- (A) Any person or corporation owning or holding, directly or indirectly, five percent or more of the voting securities of a public utility;
- (B) Any person or corporation in any chain of successive ownership of five percent or more of the voting securities of a public utility;
- (C) Any corporation five percent or more of the voting securities of which is owned or controlled, directly or indirectly, by a public utility;
- (D) Any corporation five percent or more of the voting securities of which is owned or controlled, directly or indirectly, by any person or corporation that owns or controls, directly or indirectly, five percent or more of the voting securities of any public utility or by any person or corporation in any chain of successive ownership of five percent of such securities;
- (E) Any person who is an officer or director of a public utility or of any corporation in any chain of successive ownership of five percent or more of voting securities of a public utility;
- (F) Any person or corporation that the commission, after notice and hearing, determines actually exercises any substantial influence or control over the policies and actions of a public utility, or over which a public utility exercises that control, or that is under common control with a public utility, whether that power is established through ownership or voting of securities or by any other direct or indirect means; or
- (G) Any person or corporation that the commission after notice and hearing determines is actually exercising that substantial influence over the policies and action of the public utility in conjunction with one or more persons or corporations with which they are related by ownership or blood relationship, or by action in concert, that together they are affiliated with that public utility within the meaning of this section, even though no one of them alone is so affiliated.

The term "writing" shall refer to any written material, whether typed, handwritten, printed or otherwise, or any photograph, photostat, microfilm, or any other reproduction thereof, and including, without limitation, each note, memorandum, letter, telegram, circular, release, article, report, analysis, chart, account, book, draft, summary, diary, transcript, agreement, contract, deposit slip, bank statement, receipt, stock certificate, bond coupon, purchase and/or sale confirmation, monthly securities and/or commodities statements.

The term "person" shall refer to any natural person, firm, association, partnership, corporation or other form of legal business entity.

The term "communicate" and "communication" shall mean every manner or means of disclosure or transfer or exchange of information whether orally, by document or otherwise, and whether face to face, in a meeting, by telephone or other electronic media, mail, personal delivery or otherwise.

The term "document" or any variation thereof is used in its broadest sense and shall mean any writing, drawing, graph, chart, photograph, tape, phono-record, magnetic disc or other data compilation from which information can be obtained, translated, if necessary through devices into reasonable usable form, and included, but is not limited to, correspondence, telegrams, cable telex messages, memoranda, notes, drafts, notations, workpapers, transcripts, minutes, reports, recording of telephone or other conversation, or of interviews, conference or other meetings, affidavits, statements, journals, statistical records, desk calendars, appointment books, diaries, lists, tabulations, summaries, computer printouts, computer diskettes, or other items of similar nature, including all originals, drafts and non-identical copies.

The terms "identify" or "identification", when used with reference to an individual person, means his/her full name, address and his present or last known position and business affiliation.

The terms "identify" or "identification", when used in reference to corporation, firm or other entity, means its full name, form of organization, and its present or last known address.

The terms "identify" or "identification", when used in reference to a writing, means a description of that writing in a manner sufficient for a subpoena duces tecum or for production pursuant to O.S. § 3230 of the Oklahoma Discovery Code. Also give its present location or custodian. If any such writing was, but no longer is, in your possession or control, state what disposition was made of its, the date thereof, the person responsible for making the decision as to such disposition, and the person responsible for carrying out such disposition.

The terms "identify" or "identification", when used in reference to a meeting or conference, means to state the date of the meeting or conference, the place of the meeting or conference, the full name and the present or last known position, business affiliation and address of each person attending the meeting or conference.

The terms "identify" or "identification", when used in reference to a telephonic conversation, means to state the full name, business affiliation and business address at the time, present or last known position and business affiliation and address of each party to the telephonic conversation, the location of each such party at the time the telephonic conversation took place, which of the parties initiated the telephonic call, and when such telephonic conversation took place.

The terms "identify" or "identification", when used in reference to an oral conversation other than telephonic conversation, means to state when such conversation took place, where such conversation took place, and the full name and present or last known position and business affiliation and address of each party to such conversation.